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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

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11 RATANA HAMILTON,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL SECURITY,

15 Defendant.

Case No. 1:21-cv-01337-SAB

ORDER REQUIRING PLAINTIFF TO
SHOW CAUSE WHY SANCTIONS
SHOULD NOT BE IMPOSED FOR
FAILURE TO FILE OPENING BRIEF

(ECF No. 16)

FIVE DAY DEADLINE

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17 On September 7, 2021, Plaintiff Ratana Hamilton filed this action seeking judicial review
18 of a final decision of the Commissioner of Social Security (“Commissioner”) denying an
19 application for disability benefits pursuant to the Social Security Act. (ECF No. 1.) On August
20 16, 2022, the Court granted an unopposed motion extending the time to file an opening brief
21 until September 15, 2022. (ECF No. 16.) No opening brief has been filed and the deadline to do
22 so has expired.

23 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these
24 Rules or with any order of the Court may be grounds for imposition by the Court of any and all
25 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to
26 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
27 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
28 2000).

1 Based on the foregoing, IT IS HEREBY ORDERED that **within five (5) days of entry of**
2 **this order**, Plaintiff shall show cause in writing why Plaintiff should not be sanctioned for
3 failing to timely submit an opening brief in this matter, and may concurrently submit a request or
4 a stipulation for a *nunc pro tunc* extension of time.

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6 IT IS SO ORDERED.

7 Dated: September 20, 2022



UNITED STATES MAGISTRATE JUDGE

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